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SUBJECT: DE MISTURA PLANS MAY 22 DIB ANNOUNCEMENT

Classified By: Ambassador Ryan C. Crocker for Reasons 1.4(b) and (d).

11. SUMMARY: In a May 10 meeting, Special Representative Staffan de Mistura told Ambassador Crocker and Senior Advisor Krajeski that he planned to announce UNAMI recommendations regarding the first four internal disputed boundary (DIB) districts (Makhmour, al Hamdaniyah, Amre and Mandali) as soon as May 22nd, although he may opt to wait until after the Stockholm meeting on May 29. De Mistura specifically asked if MNF-I would be able to intervene if anticipated Peshmerga withdrawals or increased AQI activity threatened Christian populations, particularly in Hamdaniyah. De Mistura was concerned that the timing of the announcement not impact the Stockholm International Compact with Iraq (ICI) conference. On election issues, De Mistura said UNAMI was particularly concerned about staggered elections and the hybrid system currently in the draft law. Senior Jordanian officials told De Mistura that the USD 8 million refugee pledge affair was an insult to Jordan, but also confided they were thinking of inviting Prime Minister Maliki to Amman.

Disputed Internal Boundaries -- Rumors of SRSG Departure Exaggerated

12. (C) Stressing that Sunni buy-in was particularly important, Ambassador Crocker noted that in their most recent meeting, Vice President Hashimi remained apprehensive, going so far as to call for the entire Article 140 process to be postponed. SRSG said he had heard the same and added that the Vice President worried that on DIBs, UNAMI would simply make "a few announcements then leave town." De Mistura observed this was probably linked to rumors of his departure, which he dismissed. Underscoring the growing strength of the common endeavor, de Mistura assured the Ambassador he intended to remain in Baghdad as long as Ambassador Crocker did. Ambassador Crocker emphasized that USG and UNAMI boundary proposals must be perceived by stakeholders as responsive to their concerns. SRSG agreed and added that the time and momentum built by addressing less contentious (but still knotty) districts would leave the parties more leeway to tackle the really complex areas, especially Kirkuk.

Disputed Internal Boundaries -- Senior Advisor Trip

13. (C) Ambassador Krajeski said that during his recent trip to Kirkuk, Mosul and Erbil, Kirkuki Sunnis emphasized their Kirkuki identity and were apprehensive about being cut off from the rest of Iraq and falling under Kurdish control. The Kurds invariably took a hard line, underscoring Kurdish historical claims and de facto Kurdish control of the city. Senior Advisor Krajeski assessed that the Kurds were running "roughshod" over other Kirkuki communities, and this type of behavior was commonplace in many areas in the North. ISCI-supported Shebbak Shi'a in Mosul, for example, refused to join the KRG because of Kurdish excesses in their area. Northern Christians wanted an autonomous region, but unlike the Shi'a and the Sunnis, were not overly concerned whether it fell under GOI or KRG control -- although they favored the KRG. In Erbil meetings, KRG Prime Minister Nechirvan Barzani and KRG Head of Security Masrur Barzani made the right noises about political compromises on disputed territories issues

generally, but refused to budge on the status of the city of Kirkuk, which they maintained must fall within the KRG's territorial boundaries.

#### Disputed Internal Boundaries -- UNAMI Proposal -- No Deadlines

14. (C) SRSG said this assessment agreed with his own. Postponing the December referendum, he continued, had been an exercise in "preventive diplomacy." It was also a gamble that UNAMI and the USG could convince the parties that rapid compromise on disputed boundaries, and especially Kirkuk, was possible. Kurdish demands for a June referendum had abated -- a major achievement but one that had to go unadvertised for fear of inflaming Kurdish public opinion -- but short-term progress on "small fish" was essential to ensure the stakeholders remained focused on the need for a political settlement encompassing more complex areas. De Mistura stressed the need to get away from deadlines, but also thought failure to produce deliverables quickly could jeopardize the process and lead to violence, possibly civil war.

#### Disputed Internal Boundaries -- Sunnis Inclined to Take the Hard Line

15. (C) The Kurdish DIB position, the SRSG continued, was well-known and he assessed that Iraq's Shi'a, beginning with Prime Minister Maliki, would largely follow UNAMI's recommendations. The Sunnis posed a more serious problem. Vice President Hashimi, no longer the sole leader of the Sunni community, faced powerful challenges to his leadership role (including from AQI) and had every incentive to espouse

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a hard line as a defender of Arab lands and Sunni rights generally. The SRSG's message to Hashimi had been that UNAMI's efforts to avoid a referendum and possible violence over Kirkuk played to Sunni interests. Key regional players, including Prime Minister Dahabi of Jordan, backed de Mistura's analysis. UNAMI understood deep-seated Sunni ambivalence about Kurdish actions in the North, but Iraqi Sunnis appeared determined to play a long game, reasoning that with Turkey and other Sunni neighbors' backing they could distance themselves from the initial surrender of Arab lands, and in the long run overwhelm the Kurds.

#### Disputed Internal Boundaries -- May 22 Announcement?

16. (C) Ambassador Crocker asked how UNAMI planned to reverse the facts on the ground and alluded to Massud Barzani's quote about the size of the KRG: "fifty seven thousand square kilometers now, ninety seven thousand after Article 140." De Mistura revealed that he planned to announce UNAMI recommendations regarding the first four internal disputed boundary areas (Makhmour, al Hamdaniyah, Amre and Balad Ruz/Mandali) on May 22, but was concerned that the timing not impact the Stockholm ICI meeting, which he wanted "clean and happy." He preferred to wait until after Stockholm if the parties agreed. A number of recommendations, including striking KRG flags in some areas, gradual withdrawal of Peshmerga, and civil and linguistic rights guarantees for minorities, might irk the Kurds. In the run-up to the announcement, de Mistura would first, "intensely" engage the Sunnis, and second, pressure the Kurds to make the compromises he sought.

#### Disputed Internal Boundaries -- Challenges -- Makhmour and Al Hamdaniyah

17. (C) De Mistura explained that facts in Makhmour were clear: going back to 1931, local records indicated the area was overwhelmingly (93 percent) Kurdish. This evidence, however, did not relieve Kurds of the obligation to provide linguistic, representational, budgetary and civil rights guarantees to Makhmour's minority communities. Al Hamdaniyah was more complex because Christians, not Kurds,

formed the majority. (Note. De Mistura appeared certain that during his recent trip to the United States, Pope Benedict XVI raised the plight of Iraq's Christians with POTUS. De Mistura added that he was a practicing Christian and Iraq's Christians were also a particular concern to his. End Note.) Christian communities largely aspired to autonomy under the KRG security umbrella, but a large number of autonomous, "balkanized" Christian communities increased the risk of conflict, both among themselves and with their Kurdish and Arab neighbors.

#### Disputed Internal Boundaries -- Christian Communities Particularly Vulnerable

18. (C) In de Mistura's opinion, security was overwhelmingly the common concern of the non-Kurdish communities caught up in the Article 140 process and withdrawal of Peshmerga elements or an increase in AQI activity posed real threats. De Mistura concluded that Christian communities required special status and the right to raise their own security organizations modeled on Concerned Local Citizen programs. Even more importantly, De Mistura asked for MNF-I to protect, as required, vulnerable Christian communities. Ambassador Crocker said Christian CLCs were feasible, provided they did not become magnets for insurgent infiltration. He cautioned that MNF-I was already stretched thin but remarked that from a public relations standpoint, having credible Christian representatives saying the Article 140 arrangements jeopardized their communities' security would be unhelpful. De Mistura asked the Ambassador to consult General Petraeus about this issue in the run-up to a possible May 22 announcement and added he would stress the GOI also had to provide more than lip service to UNAMI's recommendations. Ambassador Crocker remarked that 3 plus 2 buy-in would be difficult to secure because several of the members would be traveling. De Mistura suggested USG and UNAMI focus on Kurdish leadership then decide if it was better to make the announcement before or after Stockholm.

#### Elections -- Staggered

19. (C) After noting that the Provincial Elections Law had its second reading on Sunday, May 11th, de Mistura added several provisions worried UNAMI, but none more so than a provision for rolling elections. This clause, de Mistura cautioned, increased logistical demands and the opportunity for fraud. He added that from a security standpoint, it would be better to lock down the entire country for a single day. Ambassador Crocker observed security was the reason the GOI favored rolling elections -- the ISF did not have the assets necessary to cover the entire country on a single day.

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De Mistura acknowledged that holding elections was the primary objective; UNAMI would not pressure the GOI to change the law, but would warn the Prime Minister about negative fallout should a rolling ballot trigger irregularities.

#### Elections -- Dates

10. (C) De Mistura was also concerned that Iraqi High Electoral Commission funding delays had pushed back the start of voter registration. SRSR worried that if the registration process dragged into July, elections would not be held before December. Ambassador Crocker emphasized that the delays were part of the normal course of business in Iraq. The process, not the dates, should be our primary focus; the average Iraqi did not care if the elections occurred in December or October, provided they occurred this year. De Mistura remarked that powerful forces were arrayed against these elections, and worried that without a date certain we would be sending a message that the process was open ended and subject to deferral. Ambassador Crocker countered that setting a date certain that we might miss carried its own risks and de Mistura suggested that the parties allow the timing requirements in the laws to dictate our references to

an elections date.

#### Elections -- Hybrid (Open/Closed Lists) System

¶11. (C) Both Ambassador Crocker and the SRSB agreed that hybrid lists were unsatisfactory and De Mistura wondered if there was a conscious wish in the PMO to implement a bad system. Ambassador Crocker remarked that the Council of Representatives (CoR) had a greater say than the Prime Minister about the content of the law, which still stood a chance of being modified in the course of normal legislative give-and-take. De Mistura advocated intervening jointly with the Prime Minister if the hybrid system made it into the final bill and Ambassador Crocker noted that the Embassy was already working with senior CoR leadership on the issue. De Mistura complained that the Prime Minister was not conveying adequate enthusiasm about elections and repeated his suggestion that he and the Ambassador speak to Maliki together on this and other issues.

#### Refugees

¶12. (C) SRSB related that in recent Amman meetings, senior GOJ officials, including Foreign Minister Al Bashir, emphasized that GOI failure to deliver on its USD 8 million refugee pledge was an insult, and the GOJ would now refuse the sum if tendered. De Mistura's message was that rather than use this issue as a pretext to withdraw, Jordan should engage Iraq if it wished to move forward on other key concerns like trade and Iranian influence. De Mistura also mentioned that the Jordanians were thinking of inviting Maliki to Amman. Turning to the hoped-for USD 200 million GOI UNHCR pledge, Ambassador Crocker explained that the Embassy had prepared presentations for the Prime Minister and his staff. SRSB explained that Maliki was now opposed to providing refugee support through the UN because he believed that the UN focused on permanent resettlement. De Mistura attributed this confusion (and emphasized that UNHCR focused on repatriation) to the fact that Maliki was only familiar with the Palestinian situation, which the SRSB described as chronic and unlike the Iraqi crisis.

#### Sadr City

¶13. (C) Ambassador Crocker confided that the GOI did not appear fully aware of scope of the humanitarian relief projects UNAMI was conducting in Sadr City. It was important, he stressed, that the GOI be brought in to avoid possible charges later on that the relief work benefited militias. UNAMI's Guy Siri said UNAMI coordinated daily with the GOI through the National Operations Center (NOC) in the Iraqi Government Building, and liaised with MNF-I through an operations cell in Sadr City. Siri complained that the NOC meetings were often delayed and subject to other disruption. Ambassador Crocker observed that whatever information the parties were exchanging was not moving up the GOI chain of command and de Mistura asked Siri to provide written updates UNAMI could pass directly to PM Chief of Staff Tariq Abdullah. Ambassador Crocker added we would encourage Dr. Tariq to regularize the NOC meetings.

#### UNAMI Compound

¶14. (C) De Mistura confessed that he had been surprised by GOI resistance to UNAMI's request for the Al Sijud palace grounds. He explained to the GOI that the plan was attractive, in part, because it significantly reduced anticipated GOI contributions. De Mistura noted that there was still a short time-window before the next UN Budgetary Committee meeting for the GOI to decide. Ambassador Crocker

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suggested jointly engaging the Prime Minister and preparing for PMO review an IZ map with all IZ sites that met UNAMI requirements.  
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